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**UNITED STATES DISTRICT COURT**  
**DISTRICT OF OREGON**  
**PORTLAND DIVISION**

DON'T SHOOT PORTLAND, a nonprofit corporation, in its individual capacity, NICHOLAS J. ROBERTS, in an individual capacity and on behalf of themselves and all others similarly situated, MICHELLE "MISHA" BELDEN, in an individual capacity and on behalf of themselves and all others similarly situated, ALEXANDRA JOHNSON, in an individual capacity and on behalf of themselves and all others similarly situated,

**PLAINTIFFS,**

v.

CITY OF PORTLAND, a municipal corporation, and MULTNOMAH COUNTY, a political subdivision of the State,

**DEFENDANTS.**

I, Michael Pool, declare as follows:

1. I have been employed by the Portland Police Bureau for over 18 years. My current rank is Sergeant. I have been a Sergeant since January 2007. I am currently assigned as a Sergeant at East Precinct, Morning Relief. I am also a member of Portland's Rapid Response

**3:20-cv-00917-HZ**

**DECLARATION OF SERGEANT  
MICHAEL POOL**

**(In Support of Defendant City of Portland's  
Response to Plaintiffs' Motion for  
Contempt)**

Team (“RRT”). I have been a member of RRT since November 2002.

2. My professional training includes the police academy and yearly Portland Police Bureau in-service trainings. I have also attended the Multnomah County Reserve Officer Academy and School Police Advanced Academy. In addition to annual required in-service training, I receive at least 40 hours of additional annual training as part of RRT including, but not limited to, small unit tactics, crowd behavior, crowd control, less lethal munitions training, and RRT team training.

3. On Saturday May 30, 2020, between approximately 1800 and 0300 the following morning, I served as team leader for RRT Alpha Squad. During this time there was a large-scale protest and riots in downtown Portland. People were running through the downtown core area attempting to break into stores for mass looting, vandalism, and assaultive behavior. Fires were set throughout the downtown area. RRT Alpha Squad was assigned to patrol the downtown core area to prevent destructive behavior.

4. Between Third and Broadway streets on Main, Taylor, Stark, Alder, and Morrison streets we encountered large groups of protesters looting buildings, vandalizing property, and setting fires. Groups also threw objects and shot projectiles at officers who attempted to intervene. RRT Alpha Squad was given the order to use riot control agents to disperse crowds in this area that failed to obey lawful orders to disburse. At this time the gatherings in this area had been declared unlawful and PPB’s sound truck was actively warning groups of protesters in regards to the use of force they may be subject too if they failed to comply with lawful orders to disburse and stop violent behavior directed at officers and property.

5. I deployed several riot control agents over the course of the night in this area. Some of these agents contained 2-chlorobenzalmalononitrile (“CS”) gas (four instances) and Oleoresin Capsicum (“OC”) gas (six instances). These munitions were hand tossed a distance of 15 to 20 feet with the goal of the CS/OC gas to raise up from the ground. I also fired rubber ball distraction devices (“RBDDs”) (four instances). RBDD payload can vary. Some do not have any

payload at all, others may project a cloud of OC, others may contain small rubber balls that disburse on impact. The RBDDs I carried were "Live" RBDDs, which deliver a blast of light and sound and contain small rubber balls (approximately .81 cm each). I also carried RBDDs with OC.

6. The munitions described above were deployed only when necessary to assist with disbursing groups which failed to comply with lawful orders to disburse and were actively engaging in looting, throwing projectiles at offices, starting fires, or engaging in other illegal activity. The deployments were done consistent with my training and appeared successful and safe for stopping illegal behavior and gaining compliance with officers' lawful orders to disburse.

7. I make this declaration in support of Defendant City of Portland's Response to Plaintiffs' Motion for Contempt.

**I hereby declare that the above statement is true to the best of my knowledge and belief, and that I understand it is made for use as evidence in court and is subject to penalty for perjury.**

DATED: 7-3-2020

Michael E. Pool